

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:22-CR-00292-FDW-DSC**

UNITED STATES OF AMERICA

v.

COLLINS ARCELL SULLIVAN,

Defendant.

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ORDER

THIS MATTER is before the Court on the Parties’ Joint Motion to Amend the Judgment (Doc. No. 22). On September 9, 2024, this Court re-sentenced Defendant in Case Number 3:21CR167. At the hearing, counsel and the Court agreed the judgment in this case should be amended to reflect the Court’s original intention that Defendant serve this sentence before serving any term of imprisonment for his supervised release violation in Case Number 3:20CR167.¹ For the reasons set forth in the Parties’ Joint Motion and stated on the record at the hearing, the Court will grant the Motion. The Clerk of Court is respectfully directed to amend the judgment in this case to remove the following sentence: “The term of imprisonment imposed by this judgment shall be consecutive to any undischarged term of imprisonment imposed by any state or federal court, whether previously or hereafter imposed including term imposed in 3:20CR167.” The amended judgment shall impose a straight 35-month sentence, and any good time credit Defendant has earned shall be applied to that sentence.


IT IS THEREFORE ORDERED that the Parties’ Joint Motion to Amend the Judgment, (Doc. No. 22), is GRANTED NUNC PRO TUNC.

¹ The original judgment in 3:20CR167, and Defendant’s revocation of supervision, have been vacated by Orders of the Fourth Circuit and this Court. See United States v. Sullivan, Case No. 3:20CR00167, Doc. Nos. 73, 74, 76. On September 9, 2024, Defendant was re-sentenced in that case to a term of time-served. Id., Doc. Nos. 85, 86, 87.

IT IS FURTHER ORDERED that the Clerk of Court is respectfully DIRECTED to amend the judgment, (Doc. No. 17), consistent with this Order.

IT IS SO ORDERED.

Signed: October 15, 2024


Frank D. Whitney
United States District Judge

